

Remarks/Arguments

Applicants wish to thank the Examiner for the careful review of the claims, specification and drawings.

In response to the Office Action mailed May 23, 2006, independent claim 1 has been amended.

Claims 10 – 15 were withdrawn prior to this amendment.

Claim 18 was canceled prior to this amendment.

After entry of this amendment, claims 1- 9, 16 and 17 are pending.

It is respectfully submitted that each and every feature recited in the amended specification and/or amended claims are fully supported in the specification as filed. No new subject matter has been added.

Rejections under 35 USC § 102(e)

The Office Action argues that claim 1 is rejected under 35 USC § 102(e) as being anticipated by Johnson et al. (US 6,553,336), hereinafter “Johnson”.

Claims 1

A rejection under 35 USC § 102 requires that the cited reference teaches all the claimed elements. (MPEP 706 and 2141 et seq.). That is, the prior art reference must disclose each element of the claimed invention “arranged as in the claim.”

The Office Action argues that independent claim 1 is rejected under 35 USC § 102(e) as being anticipated by Johnson for various reasons. Johnson is directed toward “a remote monitoring system includes transducers, a transducer control module, a communications device, a monitoring system and end-user display terminals.” (Abstract). Applicants have amended independent claim 1 to add the feature of transmitting from the process computer to the sensor process related commands. This feature is support in the

specification (page 9, paragraph 2, lines 6 – 28) and step 444 of Figure 4. No new subject matter has been added.

It is respectfully submitted that while it is known to transmit sensor data from the sensor to the computer (or transducer control module in the case of Johnson), it is not known or obvious that the first sensor be sent a process related command related to the execution of an action in the process chamber from the computing system of the process module to the first sensor.

Generally speaking, the expectation is that data pertaining to process (such as pressure data for a pressure sensor or temperature for a temperature sensor) would be sent from the sensor the computer. Contrarily, the claimed invention specifies that process-related data related to the execution of an action in the process chamber (such as the start of a step or the stop of a step as disclosed on page 9 of the specification as filed) is transmitted from the computer to the sensor (i.e., opposite the direction expected for sensors).

It is respectfully submitted that this type of process-related data, which is sent from the computing system to the sensor, provides the sensor module with additional information with which the sensor can employ to gather and process its sensor data prior to sending the sensor data on to the computing system. This is a feature not known or disclosed in the art cited.

Johnson teaches that the transducer control module is a slave device and does not initiate communication with the transducers (col 15, lines 14 – 18). Furthermore, Johnson teaches the monitoring system is typically a computer system implemented with software application to receives, stores, and analyzes event and status information from the transducer control module (col 15, line 54 – col 16, line 40).

Johnson does not teach or disclose the claimed feature, in the manner claimed in amended claim 1, of transmitting a process related command that related to the execution of an action in the process chamber from the computing system or the transducer control module of Johnson to the first sensor. For at least this reason, it is respectfully submitted that amended claim 1 is novel, nonobvious, and patentable over Johnson.

Rejections under 35 USC § 103(a)

The Office Action argues that claim 2 is rejected under 35 USC 103(a) as being unpatentable over Johnson, as applied to claim 1 above, and in view Kosugi et al. (6,204,768), hereinafter “Kosugi”.

The Office Action argues that claim 3 is rejected under 35 USC 103(a) as being unpatentable over Johnson and Kosugi, as applied to claims 1 & 2 above, and in further view of Sandelman et al (6,535,123) and Chari et al. (6,425,006), hereinafter “Sandelman” and “Chari”.

The Office Action argues that claims 4 – 9 and 16 are rejected under 35 USC 103(a) as being unpatentable over Johnson, Sandelman, Kosugi, and Chari as applied to claims 1 – 3 above, and in further view of Halpern (5,301,122), hereinafter “Halpern”.

The Office Action argues that claims 17 is rejected under 35 USC 103(a) as being unpatentable over Johnson, Sandelman, Kosugi, Chari, and Halpern as applied to claims 1 – 3 above, and in further view of Steen, III et al. (6,510,350), hereinafter “Steen”.

Claims 2 – 9 and 16 – 17

A rejection under 35 USC 103(a) requires that the combined references suggest the claimed combination. (MPEP 706 and 2141 et seq.). Under the Graham test, three factors must be evaluated: the scope and content of the prior art; the differences between the prior art and the claimed invention; and the level or ordinary skill in the art. (MPEP 706 and 2141 et seq.).

The Office Action argues that claims 2 – 9 and 16 -17 are rejected under 35 USC 103(a) for various reasons over various combinations of the cited arts of record. The Office Action argues that it would have been obvious to one ordinary skill in the art at the time of the invention was made to combine the various teachings of the cited arts to teach the various claimed combinations.

It is respectfully submitted that the deficiency of Johnson is not cured by any of the other cited art (e.g., Sandelman, ,Chari, Halpern, and Steen), each taken alone or in combination with others. For at least the previously stated reasons, since independent claim 1 should now be allowable, dependent claims 2 – 9 and 16 – 17 which incorporate independent claim 1 by reference should also be allowable. Alternatively or additionally, dependent claims 2 – 9 and 16 – 17 are novel, nonobvious, and patentable due to their independent recitations of independently patentable features.

No new subject matter has been added.

Conclusion

In view of the discussion herein, Applicants believe that all pending claims are allowable and respectfully request a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at 408-257-5500.

If any petition is required to facilitate the entry of the present amendment, please consider this communication a petition therefore as well. The Commissioner is authorized to charge any fees beyond the amount enclosed which may be required, or to credit any overpayment, to Deposit Account No. 50-2284 (Order No. LMRX-P079/P0602).

Respectfully submitted,

/Joseph A. Nguyen/ #37,899

Joseph A. Nguyen